

Issue 18 — February 14, 2003

In this issue:

- **State will appeal federal court ruling allowing state aid to theology students**
- **Legislative update**
- **Legislators seek major changes in EOG program**
- **Online resources for tracking and analyzing legislation**
- **Bills of interest**
- **Upcoming hearings**
- **Pat Callan to testify before House panel on college affordability**
- **New SWS Web site is more efficient, easier to use**
- **Regional meetings foster idea exchanges among SWS administrators**

State will appeal federal court ruling allowing state aid for the study of theology

Appeal does not affect recent HECB decision allowing aid for theology students

The state will ask the U.S. Supreme Court to review a 9th U.S. Circuit Court of Appeals decision that compels the state to provide taxpayer-funded financial aid to students pursuing degrees in theology.

The decision to appeal comes one week after the HECB notified colleges and universities across the state that they must now process applications for state financial aid from theology students. The Circuit Court's ruling, a result of *Davey v. Locke*, requires the HECB now to provide financial aid to qualified students who choose to study theology.

The lower court's ruling stands unless and until the U.S. Supreme Court overturns the Circuit Decision. Aid offices should continue to consider theology students for state financial aid.



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In the November ruling, the Circuit Court said the state statute prohibiting the payment of state financial aid to students pursuing degrees in theology violated the First Amendment's religious-freedom provision.

The case arose after Northwest College in Kirkland, affiliated with the Assemblies of God Church, in 1999 declined to certify Joshua Davey of Spokane as eligible for a Promise Scholarship, based on guidance from the HECB. The HECB has relied on state law (RCW 28B.10.814) that prohibits financial aid awards to students who pursue a degree in theology. Davey majored in both business administration and pastoral ministries at Northwest College.

Because the law in question applies to all Washington state financial aid programs, the HECB must follow the ruling by not prohibiting awards to students because they pursue degrees in theology. The HECB has directed colleges and universities to process aid requests for eligible students retroactive to fall 2002.

The Attorney General's news release about the decision to appeal the Circuit Court's ruling is available at the agency's Web site: [State to seek U.S. Supreme Court review of scholarship case](#). You can read the HECB media advisory with background on the Davey v. Locke case online at our Web site: [HECB financial aid delivery to comply with court ruling](#).

Legislative update

Lawmakers this week added one bill to the lengthy list of financial aid-related legislation the HECB is tracking. House Bill 1763 would create a new conditional scholarship program for prospective teachers. The proposal targets funds to students seeking teaching certificates in mathematics, science, technology, special education, and bilingual education. It joins a future teachers bill introduced earlier this session — Senate Bill 5420, aimed exclusively at prospective teachers of special education.

Previous issues of the *Financial Aid News* have listed bills affecting the Educational Opportunity Grant (EOG) and Promise Scholarship programs. We highlight proposed changes to EOG in detail below, followed by our complete list of bills with financial aid implications, next week's hearing schedule, and some online legislative resources. Next week, we'll offer a closer look at Promise proposals.

For information about any legislation related to financial aid or higher education, contact Colleen Scovill at colleens@hecb.wa.gov or (360) 753-7850.

Legislators seek major changes in EOG program

Following a recent Higher Education Coordinating Board evaluation of the Educational Opportunity Grant (EOG) program, lawmakers have introduced legislation that would make significant changes to the program.

To help more students earn bachelor's degrees, the current EOG program provides \$2,500 renewable grants to help needy placebound students with junior standing enroll at four-year institutions. Awards are limited to residents of 13 counties, and recipients may not attend branch campuses.

Senate Bill 5676 and its companion House Bill 1731 preserve the program's original purpose, but include three significant changes:

- All residents of the state could apply, not just those from the current 13 eligible counties.
- Students could attend branch campuses.
- The Board would establish grant amounts, which would be at least \$2,500.

If these bills pass, the program would for the first time reach students in several rural communities. Students graduating from Big Bend Community College, Centralia College, Grays Harbor College, Skagit Valley College, Peninsula College, Whatcom Community College, and Wenatchee Valley College could participate.

In addition to the main public and independent four-year institutions, students could enroll at University of Washington's Tacoma and Bothell branches; and Washington State University's Vancouver, Tri-Cities and Spokane branches.

The House Higher Education Committee will hear House Bill 1731 on Tuesday, Feb. 18 at 10 a.m. in House Hearing Room D. The Senate Higher Education Committee will hear Senate Bill 5676 on Monday, Feb. 24, in Senate Hearing Room 3. The committee hasn't set a time for this hearing, but it will likely be 1:30 p.m. We anticipate that lawmakers will be taking public testimony at both hearings.

If you have questions about the bills, contact Betty Gebhardt at bettyg@hecb.wa.gov or 360-753-7852.

Online resources for tracking and analyzing legislation

Full text of bills and supporting materials:	http://www.leg.wa.gov/wsladm/bills.cfm
Complete legislative hearing schedule:	http://www.leg.wa.gov/wsladm/calendar.cfm
Live and archived Web broadcast of all hearings:	http://www.tvw.org
HECB 2003 legislative session site:	http://www.hecb.wa.gov/Leg/index.asp

Senate bills of interest

Bill Number (House Companion)	Description	Sponsor(s)
SB 5004	Creates an endowed scholarship for Hispanic American students	Jacobsen
SB 5010	Authorizes branch campuses to offer lower-division coursework	Jacobsen
SB 5135	Requires students with an excess of 120 percent of the credits required for a degree or certificate to pay tuition equivalent to the full cost of instruction	Carlson, Kohl- Welles
SB 5136	Expands membership of the Higher Education Coordinating Board to include the Superintendent of Public Instruction	Carlson, Schmidt
SB 5137	Specifies that students who meet 10 th -grade reading and math standards on the Washington Assessment of Student Learning [WASL] shall be deemed to have met the state's general undergraduate admission requirements	Carlson
PSSB 5138	Establishes meeting 10 th -grade reading and math standards on the Washington Assessment of Student Learning [WASL] as another avenue for students to qualify academically for the Promise Scholarship	Carlson
SB 5139	Requires school districts to bear the cost of instruction for remedial postsecondary education course work, including student tuition	Carlson
SB 5158	Authorizes resident tuition for certain undocumented students residing in Washington	Carlson, McAuliffe
SB 5189	Exempts veterans of the Korean conflict from tuition increases	Benton
SB 5241	Requires that the state budget provide funding for actual enrollments at public institutions; includes provisions for additional financial aid funding based on increases in enrollments and the costs of attendance	Kohl- Welles, Carlson

Senate bills (continued)

Bill Number (House Companion)	Description	Sponsor(s)
SB 5249	Establishes the Higher Education for Lifelong Progress (HELP) program, which would provide grants to assist college-eligible Temporary Aid to Needy Families (TANF) recipients for up to two years of higher education; allows participation in the HELP program to count toward TANF work requirements	Kohl-Welles, Shin
SB 5294	Allows students enrolled in a postsecondary program and earning their full federal or state work study awards to count as full-time WorkFirst participants for a period of up to 24 months	Kohl-Welles, Regala
SB 5357	Authorizes tuition waivers on a space-available basis for children of faculty at institutions of higher education	West, Sheahan
SB 5405	Permits a limited number of students to use their State Need Grant awards out of state at select historically black colleges	Jacobsen
SB 5420	Creates conditional scholarship program for future special education teachers	McAuliffe
SB 5448 (HB 1437)	Makes permanent institutional tuition-setting authority for all but resident undergraduates; existing authority expires June 30, 2003	Carlson, Kohl-Welles
SB 5476 (HB 1486)	Exempts the surviving spouses and children of certain law enforcement officers or firefighters from paying tuition and fees	Haugen
SB 5660 (HB 1277)	Creates a supplemental educational assistance grant program for State Need Grant eligible students with dependents; private sources would fund the program	Kohl-Welles, Carlson
SB 5676 (HB 1731)	Changes elements of the Educational Opportunity Grant program; financially needy placebound residents from all of the state's 39 counties may be eligible; recipients could attend branch campuses	Kohl-Welles

House Bills of Interest

Bill Number (Senate Companion)	Description	Sponsor(s)
HB 1079	Authorizes resident tuition for certain undocumented students residing in Washington	Kenney, Cox
HB 1123	Ensures that unspent financial aid funds at the end of a fiscal year are preserved for financial aid purposes through the creation of a dedicated account	Kenney, Cox
HB 1277 (SB 5660)	Creates a supplemental educational assistance grant program for State Need Grant eligible students with dependents; private sources would fund the program	Kenney, Cox
HB 1437 (SB 5448)	Makes permanent institutional tuition-setting authority for all but resident undergraduates; existing authority expires June 30, 2003	Kenney, Cox
HB 1486 (SB 5476)	Exempts surviving spouses and children of certain law enforcement officers or firefighters from paying tuition and fees	O'Brien
HB 1706	Changes Promise Scholarship eligibility from students who demonstrate high school academic success to students "who have overcome personal or financial barriers and show promise to succeed" in college	Mastin, Grant
HB 1731 (SB 5676)	Changes elements of the Educational Opportunity Grant program; financially needy placebound residents from all of the state's 39 counties may be eligible; recipients could attend branch campuses	Kenney, Cox
HB 1763	Provides conditional scholarship for prospective teachers pursuing certificates in mathematics, science, technology, special education, or bilingual education	Berkey, Jarrett

Hearings on financial aid and select higher education issues – Feb. 17 - 23

Monday, Feb. 17, 2003

Senate Higher Education Committee, 1:30 p.m., Senate Hearing Room 3

Public Hearing, including:

- SB 5241 – requiring college budgets to reflect actual enrollments

Tuesday, Feb. 18, 2003

House Higher Education Committee, 10 a.m., House Hearing Room D

Public Hearing, including:

- HB 1731 – changing provisions in the EOG program
- HB 1763 – providing conditional scholarships for prospective teachers in certain certification areas

Wednesday, Feb. 19, 2003

House Higher Education Committee, 1:30 p.m., House Hearing Room D

Public Hearing, including:

- HB 1706 – changing eligibility for Promise Scholarship from academic achievement to overcoming barriers

Friday, February 21, 2003

House Higher Education Committee, 8 a.m., House Hearing Room D

Work Session:

- "College Affordability in Jeopardy." Presentation of a new report by Pat Callan, National Center for Public Policy and Higher Education

Pat Callan to testify before House panel on college affordability National researcher calls tuition hikes and spending cuts an "assault" on higher education

Pat Callan, president of the National Center for Public Policy and Higher Education, will address the House Higher Education Committee on Feb. 21 in Olympia.

Callan will present findings from the Center's latest report, "College Affordability in Jeopardy," which documents that tuition hikes and crumbling state support for higher education are passing more college costs on to families.

At the release of the report on Feb. 11, Callan called the combination of budget slashing and tuition increases "a major assault on college affordability. This comes at a time when unemployment is high, personal income is basically flat, and college-level education and training is a requirement for most well-paying jobs." And financial aid, he added, is not keeping pace with rising higher education prices.

You can download the report online at the Center's Web site:

www.highereducation.org.

New SWS Web site is more efficient, easier to use

The State Work Study (SWS) program launched a redesigned secure Web site for program administrators on Feb. 10. The new site is the product of several months of consultation with aid officers and student employment administrators.

The redesigned site has detailed payment information and several new features:

- New search criteria, such as searching by warrant number.
- New advanced search options.
- A new Excel spreadsheet download option.
- New SWS reserve balance look up capabilities, which should prove especially useful during SWS program fund management surveys.

You can visit or register for our new secured Web site at <https://fortress.wa.gov/hecb/secure/login.asp>. If you have any questions regarding the site, please contact Khris Blumer at khrisb@hecb.wa.gov or (360) 753-7847, or Jeffrey Powell at jeffreyp@hecb.wa.gov or (360) 704-4150.

Regional meetings foster idea exchanges between SWS administrators

Mary Gsell, SWS program associate for job development, last month kicked off another series of regional meetings for student employment administrators.

These meetings, which are usually held every quarter, give school representatives a chance to compare notes on the administration of the SWS program and discuss important student employment issues with their colleagues.

A meeting in Bellingham on Jan. 29 attracted the attention of Christopher Key from the *Whatcom County Business Pulse*, a local business newspaper. After attending the meeting, he expressed interest in publishing a series of articles on student employment programs in the region.

The next meeting — for schools in the greater Seattle area — is scheduled for Thursday, Feb. 20, at 11:30 a.m. at Antioch University. For more information about the meetings, contact Mary Gsell at maryg@hecb.wa.gov or (360) 753-7829.